

## **STAFF ANALYSIS**

### **PROJECT NUMBER**

**01-198-(1)**

### **CASE NUMBER**

**Conditional Use Permit Case No. 01-198-(1)**

### **OVERVIEW OF PROPOSED PROJECT**

The applicant is requesting authorization to construct, operate and maintain an industrial park to be used for warehousing and manufacturing in zone MPD (Manufacturing – Industrial Planned Zone). The planned four (4) building industrial park spans the incorporated City of Industry and the unincorporated area of Los Angeles County know as Whittier Narrows. Two (2) of the buildings, Building Nos. 1 and 2 totaling 135,450 square feet, are located within the incorporated City of Industry; an industrial plaza is a permitted use at that location. The applicant has obtained building permits from the City and begun construction on that development. The portion within the City is Phase I of their proposal, the portion within unincorporated Los Angeles County will be Phase II. This report will address the Phase II development only, unless specifically mentioned otherwise.

Building No. 3 of the industrial park is a one-story 47,370 square foot structure consisting of nine (9) units ranging from 2,213 square feet to 8,980 square feet. Eight (8) of the nine (9) units are to be used for warehousing only. Building No. 4 is a two-story 76,728 square foot structure consisting of four (4) units ranging from 12,500 square feet to 28,572 square feet. One (1) of the four (4) units is to be used fro warehousing only.

### **DESCRIPTION OF SUBJECT PROPERTY**

#### **Location**

The subject property is located at 2418 thru 2498 Peck Road in unincorporated Los Angeles County, Whittier Narrows, and in the Workman Mill Zoned District. The subject property is located north of Rooks Road, south of the San Gabriel River and east of Peck Road. Access to the site from the Pomona Freeway (SR 60) is provided via Peck Road interchange south on Peck Road to Rooks Road east to the site. Access to the site is also from the San Gabriel River Freeway (I-605) and is provided via Peck Road interchange west on Rooks Road to Peck Road north to the site. Proposed access to the site is via Rooks Road to the south, Peck Road to the west, and Kella Avenue to the east. None of the entrance driveways to the project site are within the County of Los Angeles, they are all within the City of Industry.

#### **Physical Features**

The subject property is a 6.7-acre flat irregular shaped parcel. Phase I of the project, the portion within the City of Industry is comprised of another 6.7-acre parcel, for a total project size of 13.4 acres. There is no significant vegetation or animal habitat on the site.

### **ENTITLEMENT REQUESTED**

The applicant is requesting a Conditional Use Permit to authorize the construction, operation and maintenance of an industrial park in zone MPD.

**EXISTING ZONING**

**Subject Property**

Zoning on the subject property is MPD (Manufacturing – Industrial Planned Zone).

**Surrounding Properties**

Surrounding zoning consists of:

North: A-1-5 (Light Agriculture, five acre minimum required area). Adjacent the A-1-5 zoning is the San Gabriel River, north of the river is the City of South El Monte. Northwest of the subject property, across the San Gabriel River, is the Whittier Narrows Recreation Area.

East: R-1-7,500 (Single-Family Residential, 7,500 square feet minimum required area)

South: R-1-7,500, City of Industry.

West: City of Industry, M-1-BE (Light Manufacturing, Billboard Exclusion). West of the project site (within the City of Industry) is the Pico Rivera Bicentennial Park/Whittier Narrows Dam Recreation Area that includes an equestrian area.

The residential area located south of the subject property is within the Pellissier Village Equestrian District. Equestrian districts were established as supplemental districts in order to recognize particular areas where the keeping or maintaining of horses and other large domestic animals for the personal use of members of the family residing on the premises has become or is intended to become an integral part of the character of the area. The application of this district permits the keeping of horses and other large domestic animals for personal use as accessory to residential use subject to standards and conditions which are intended to insure compatibility with surrounding areas and within the district itself while also taking the individual characteristics of the particular area under construction.

The Pellissier Village Equestrian District was adopted by the Board of Supervisors in 1976 under Ordinance No. 11384. In recommending approval of the District to the Board of Supervisors the Commission found the information submitted and/or presented by the applicant(s) at the public hearing substantiates the following findings: 1) That the requested animals at the location proposed will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and 2) That the proposed sites are adequate in size and shape to accommodate the animals requested without material detriment to the use, enjoyment or valuation of property of other persons located in the vicinity of the equestrian district.

**EXISTING LAND USES**

**Subject Property**

The subject property is currently developed with buildings related to previous uses of a truck repair facility, truck driving school, and industrial and office uses. These buildings are currently vacant and will be demolished prior to the construction of the industrial park. An existing faux building water well will remain on the site. An existing electric tower exists on the subject

property, with high transmission lines running through the property in an east/west direction.

**Surrounding Properties**

Surrounding land uses consist of:

North: San Gabriel River, north of the River is the Pomona Freeway (SR 60) and the City of South El Monte. The properties within the City are developed with commercial uses (gas station, motel, offices, self-storage facility).

East: Single-family residential

South: industrial uses (truck parking, sales, leasing and repair, heavy equipment rental), single-family residential

West: Commercial and industrial uses

**PREVIOUS CASES/ZONING HISTORY**

There are four previous zoning cases noted on the subject property, Zone Change Case No. 5375, Zone Change Case No. 84-038-(1), Zone Change Case No. 87-334-(1) and Conditional Use Permit Case No. 89-025-(1).

ZC 5375 was adopted by the Board of Supervisors in September of 1969 and changed the zone on the subject property from R-A-7,500 to M-1/B-1. The majority of the parcel was zoned M-1; a fifty-foot buffer strip was located along the east side of the subject property adjacent the R-1-7,500 zone.

ZC 84-038-(1) was adopted by the Board of Supervisors in April of 1985 and changed the zone on seven (7) parcels located in the Workman Mill and Whittier Narrows Zoned Districts from C-2, M-1-DP, M-1, M-1 ½, and M-2 to C-2-BE, M-1-DP-BE, M-1-BE, M-1 ½ -BE, and M-2-BE. The subject property was one (1) of the seven (7) parcels included in the zone change; the zone on the subject property was changed from M-1 (Light Manufacturing) to M-1-BE (Light Manufacturing, Billboard Exclusion).

ZC 87-334-(1) was adopted by the Board of Supervisors in July of 1988 and changed the zone on the subject property from M-1-BE to MPD. This was a Regional Planning Commission initiative to change the zone due to complaints from the residents that the truck stop operating on the subject property was a nuisance due to noise and fumes from trucks left running, noise from drivers staying in their trucks, and traffic congestion. The record shows that it was believed the MPD zone would afford greater control over the property than was possible under the previous Light Manufacturing and Buffer zones.

CUP 89-025-(1) was a request to allow truck stop parking and outdoor storage of nursery stock. This conditional use permit was denied in 1991. No conditional use permit has been approved on the subject property since the zone was changed to MPD in 1988.

The Department of Regional Planning Zone Enforcement Inspector has had an enforcement file open on the subject property intermittently from 1996 to present. Violations have included

tractor-trailer rigs, trucks and trailers on the subject property that belong to the business operating within the City of Industry portion of the project, pallet storage, and grading without a permit.

**COUNTYWIDE GENERAL PLAN**

The Land Use Element of the General Plan sets forth countywide policy for the general location and intensity of land use. The Element serves as a tool for coordinating future development and revitalization plans of both the public and private sectors. The policies of the Element support the countywide General Plan policy of encouraging a more concentrated urban pattern through the revitalization of deteriorating urban areas, infilling of bypassed lands and focusing new urban development in the most suitable locations. The Land Use Element calls for a distribution of use intensities within urban areas necessary to carry out this policy. The Land Use Policy map portrays a general pattern and distribution of land uses according to nine generalized classifications. The Land Use Map serves as the policy framework within which more detailed local plans (Areawide, community and neighborhood) as well as development proposals can be considered.

The subject property is located within the “I” Major Industrial classification of the General Plan. The intent of this classification is to assure that sufficient land is allocated for a wide range of industrial activities serving both the domestic and export markets and providing jobs for a large portion of the resident labor force.

The following goals and policies of the Plan are applicable to the subject property and serve as guidelines for development within the Major Commercial classification of the Land Use Map.

**?? *Coordination with Transportation***

**Goal:** To coordinate land use with existing and proposed transportation networks.

**Policy:** Encourage the clustering of well designed highway oriented commercial facilities in appropriate and conveniently spaced locations. (Policy No. D.5.)

**?? *Sufficient Commercial and Industrial Lands***

**Goal:** To provide commercial and industrial lands sufficient to accommodate the projected labor force.

**Policies:** Protect prime industrial lands from encroachment of incompatible uses. (Policy No. D.7.)  
Where appropriate, promote more intensive use of industrial sites, especially in areas requiring revitalization. (Policy No. D.8)

An industrial park, as proposed by the applicant can be found consistent with the goals of the Major Industrial land use classification of the General Plan. There is no community plan adopted at the location of the subject property.

It should be noted that previous zoning cases on this property referred to the site being within the Low Density Residential classification of the Countywide General Plan. Due to the size of this parcel, 6.7 acres, and the previous “hand mapping” techniques used by the County, parcels this size that are surrounded by other land use classifications were often classified incorrectly. However, now that the County uses a computer based Geographic Information System the classifications are much more accurate. The correct classification is Major Industrial and not Low Density Residential.

## **SITE PLAN**

### **General Description**

The applicant’s site plan, labeled Exhibit “A” page 1 of 3, depicts the two (2) buildings within the City of Industry (Buildings No. 1 and No. 2) along with the two (2) industrial buildings proposed within unincorporated Los Angeles County (Buildings No. 3 and No. 4). Building No. 3 is depicted as a 47,360 square foot warehouse and manufacturing building comprised of nine (9) units. Building No. 4 is depicted as a 76,728 square foot building comprised of four (4) units. An existing electrical tower is shown in the parking lot between Buildings No. 3 and No. 4. 209 parking spaces have been provided for the two buildings. A community park is shown on the Pellissier Road frontage. Access to the site is via Peck Road to the west, Rooks Road to the south and Kella Avenue to the west.

The applicant has provided two pages of building elevations, labeled Exhibit “A” pages 2 and 3 of 3. Page 2 depicts elevations of Building No. 3, that building which is adjacent the San Gabriel River. All tenant windows and loading docks face the interior of the park, no windows are shown on the elevation facing the river. The building is shown at a height not exceeding 28’0” above finished grade. Page 3 depicts elevations of Building No. 4, that building which is adjacent property within the City of Industry and residential properties along Kella Avenue. All tenant windows and loading docks face the interior of the park, no windows are shown on the elevation facing the City or residential area. The building is shown at a height not exceeding 34’0” above finished grade. The exterior finishes consist of white concrete panels with dark and light gray accents, blue reveal accents, and blue green window glass.

### **Compliance with Applicable Zoning Standards**

The proposed self-service storage facility shall comply with the following required development standards of the MPD zone pursuant to Section 22.32.150 of the County Code. If a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, property in Zone MPD may be used for a planned industrial development in which the Commission may approve any use permitted in Zone M-1 ½, subject to all of the following provisions:

- ?? Area. The proposed development plan shall include a parcel of land having, as a condition of use, not less than five acres. (Section 22.32.150.B.1.)

***The subject property is 6.7-acres in size and is compliance with this requirement.***

- ?? Compatibility. The proposed development, including the specific industrial uses proposed, shall not be in conflict with the objectives of the general plan for the area. (Section 22.32.150.B.2.)

***The proposed development is in conformance with the general plan for the area, as discussed earlier in this report.***

- ?? Design. The structural improvements shall not detract from the established or anticipated character of the surrounding area, as indicated by schematic drawings and renderings to scale showing the architectural design of buildings and structures to be established. (Section 22.32.150.3.)

***Based on the elevations provided by the applicant and a site visit conducted by staff, the proposed improvements would not detract from the industrial character at that location. The proposed architectural design and building materials and colors are consistent with existing industrial buildings on Pellissier Road and Peck Road.***

- ?? Access and Parking. Adequate provision shall be made for vehicular access, parking and loading so as to prevent undue traffic congestion on adjacent highways, particularly local streets. (Section 22.32.150.4.) Pursuant to Part 11 of Chapter 22.52 of the County Code, parking requirements are as follows:

Warehousing: (1) parking space/(1000) square feet

Manufacturing: (1) parking space/(500) square feet

Based on the applicant's site plan, parking is required as follows:

Building No. 3

38,380 square feet warehousing/1000 = 38 spaces required

8,980 square feet manufacturing/500 = 18 spaces required

Total spaces required for Building No. 3 = 56

Building No. 4

28,572 square feet warehousing/1000 = 29 spaces required

48,156 square feet manufacturing/500 = 96 spaces required

Total spaces required for Building No. 4 = 125 spaces required

The proposed industrial park requires 181 parking spaces. The Americans With Disabilities Act requires seven (7) of these to be handicapped accessible, one (1) of which shall be handicapped van accessible.

***The applicant's site plan depicts 209 parking spaces. The applicant has provided additional parking than the calculations provided above as they have calculated the 28,572 square foot building that is labeled "warehousing only" on their site plan as manufacturing. Of the 209 spaces depicted 75 of the spaces are compact (38 percent) and twelve (12) are handicapped accessible, with two (2) handicapped van accessible. Each unit of both Building No. 3 and 4 has a minimum of one (1) truck loading space except for the smallest of the***

***warehouses, Units 3H and 3I, which have been labeled “drive-in warehousing only”. Those units have provided drive-in doors into the warehouse. The applicant’s site plan is in compliance with the parking requirements of the County Code. The access requirements are as outlined by the County of Los Angeles Fire Department memo dated December 3, 2002, and will be approved by said Department prior to the applicant obtaining building permits.***

- ?? Building Density. The floor area ratio shall not be greater than 1.0, and the ground-floor area of buildings shall not exceed 60 percent of the gross area of the lot or parcel of land. (Section 22.32.150.5.)

***The “floor area ratio” means the numerical value obtained through dividing the aboveground gross floor area of a building or buildings located on a lot or parcel of land by the total area of such lot or parcel of land. The aboveground gross floor area of the buildings is 124,417 square feet, with a total lot area of 293,625 square feet. The site has a floor area ratio of .42. The applicant’s site plan depicts the ground floor area of the buildings covering 47 percent of the gross area of the subject property. The applicant’s site plan is in compliance with the building density requirements.***

- ?? Utilities. The applicant shall submit to the Commission, and it shall be made a condition of approval, satisfactory evidence that the applicant has made arrangements with the serving utilities to install underground all new facilities necessary to furnish service in the development. This requirement may be waived where it would cause undue hardship or constitute an unreasonable requirement. (Section 22.32.150.6.)

***Per the applicant all necessary arrangements have been made with the serving utilities to install underground all new facilities necessary to furnish services to the development.***

- ?? Signs. The Commission, in granting the conditional use permit, may allow signs which it finds will be in keeping with the concept of planned development. (Section 22.32.150.7.)

***No sign plans have been submitted at this time. If the Commission approves this request, the applicant will be required to develop a sign program for the industrial park in accordance with Chapter 10 of Section 22.52 of the County Code. All new tenants in the buildings will be required to have sign approved through a Revised Exhibit “A”.***

- ?? Development Features. The development plan shall include yards, walls, walks, landscaping and other such features as may be needed to make the industrial development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the established or anticipated development of the surrounding area. (Section 22.32.150.8.)

***The applicant’s site plan depicts 12,417 square feet of landscaping***

*(approximately 15 percent lot coverage), which includes a community park, and a 8-foot high block wall along the subject property's east property line to serve as a visual and sound buffer to the adjacent residences. Per the applicant, they have attempted to further buffer the single-family residences from the industrial park by placing automobile parking at that location.*

*Residents in opposition to the development, however, feel the residences are not sufficiently buffered from the industrial park. Some longtime residences recall when the subject property was zoned M-1/B-1 (from 1969 to 1989) and believe the 50-foot buffer strip should be maintained along the east property line. The applicant's site plan is in compliance with this 50-foot buffer strip (parking is a permitted use in the buffer zone) except for building Unit No. 4D and a small portion of Unit No. 4C, these buildings are located ten (10) feet from the east property line where single-family residences are located. Per the applicant, elimination of Unit No. 4D would be an undue hardship on the development of the site.*

- ?? Development Schedule. The Commission shall approve a progress schedule, including all phases of development, and indicating that the improvements described in the development plan will be made prior to occupancy of the industrial buildings. (Section 22.32.150.9)

***The applicant has provided a development schedule for the site dated November 2001. If the Commission approves this request, the applicant will be required to re-submit the schedule with revised construction dates.***

- ?? Tentative Subdivision Map. A tentative map shall be filed and made a condition of approval. (Section 22.32.150.10.)

***This is not required. The property, as it exists, is a legal parcel and no subdivision is anticipated or requested.***

## **BURDEN OF PROOF**

### **Burden of Proof per Code for Conditional Use Permits**

Pursuant to Los Angeles County Code Section 22.56.040 the applicant must meet the burden of proof requirements for Conditional Use Permits.

1. That the requested use at the location proposed will not:
  - A. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
  - B. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
  - C. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
2. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development



features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

3. That the proposed site is adequately served:
  - A. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
  - B. By other public or private service facilities as are required.

**Applicant's Burden of Proof Responses**

See Attached

**ENVIRONMENTAL DOCUMENTATION**

The Department of Regional Planning has determined that a Mitigated Negative Declaration is the appropriate environmental documentation for this project under California Environmental Quality Act (CEQA) reporting requirements. An Initial Study was prepared for this project in compliance with the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study showed that conditions or changes in the project are necessary in order to assure there is no substantial evidence that the project may have a significant effect on the environment. The following potential impacts were identified: geotechnical, flood, noise, water quality, traffic/access, and utilities, which is documented in the attached Mitigated Negative Declaration and corresponding Mitigation Monitoring Plan.

During the environmental review phase of the project staff received comment letters from The County of Los Angeles Department of Public Works dated December 4, 2001, March 18, 2002, and September 4, 2002, from the County of Los Angeles Fire Department dated November 9, 2001, from the County of Los Angeles Department of Health Services dated October 30, 2001 and November 16, 2001, from the State of California Department of Toxic Substances Control dated April 23, 2002, and from the State of California Department of Transportation dated August 28, 2002. These letters have been included as attachments to this document.

**COUNTY DEPARTMENT COMMENTS**

**County of Los Angeles Department of Public Works**

Staff has received comments from the County of Los Angeles Department of Public Works, Transportation Planning Section, dated March 28, 2002; their memo has been included as an attachment to this document.

**County of Los Angeles Fire Department**

Staff has received comments from the County of Los Angeles Fire Department, Land Development Unit – Fire Prevention Division, dated February 11, 2003; their memo has been included as an attachment to this document. The Fire Department has included additional conditions to address the special access circumstances of the high transmission electrical wires running through the parking lot portion of the proposed development.

**OTHER AGENCY COMMENTS**

**City of Industry**

Although the City of Industry has not commented on the portion of the project that is within unincorporated Los Angeles County (Phase II), they have approved the portion that is within the incorporated City of Industry (Phase I). They have provided a copy of the Negative Declaration determination for Phase I of the project as well as a copy of conditions imposed on the applicant's development plan. These memos have been included as attachments to this document.

**PUBLIC COMMENTS**

Staff received one letter signed by two (2) local residents in opposition to this request at the time of this report, a petition with twenty-two (22) signatures representing eight (8) households was attached to the letter. All of the residents who signed the letter and petition live on Kella Avenue. The residents concerns include: 1) they feel the 50-foot wide buffer strip should be maintained along the east property line, 2) the initial study does not take into account that the subject property is adjacent the Pellissier Village Equestrian District, 3) noise is not adequately addressed in the initial study, 4) air quality is not adequately addressed in the initial study, 5) traffic/access is not adequately addressed in the initial study, and 6) the proposed industrial park is not consistent with the Countywide General Plan.

A letter was received from Mr. Carl Reuben, a resident of Kella Avenue, regarding suspected code violations on the subject property. This letter was responded to by a Department of Regional Planning Code Enforcement Inspector and a City of Industry Building Inspector by conducting a site visit. Per the applicant, the earthmovers on the subject property were removing junk and debris that had become buried in the dirt. The City of Industry issued a stop work order and instructed the applicant to obtain a retroactive grading permit for the work already performed, and a grading permit to fill in the depression that was formed.

**STAFF EVALUATION**

**Issues**

Pursuant to Section 22.32.150.B. of the County Code, a conditional use permit may be obtained for any use in the MPD zone which is permitted in the M-1 ½ zone; warehousing and manufacturing is permitted in the M-1 ½ zone, pursuant to Section 22.32.100 of the County Code.

As the buildings within the industrial park are being constructed as "spec space", the tenants have not been selected at this time. The tenants exact business hours are not known at this time, but will not exceed 7:00 a.m. to 6:00 p.m., Monday through Friday. 180 persons are expected to be employed, working in one (1) shift.

The land uses in the vicinity of the project site (Peck Road, Rooks Road, and the west end of Kella Avenue) are predominately industrial and related to the trucking industry (truck sales, rental and repair, large equipment rental). Staff feels the development of an industrial park on

the subject property would be a compatible land use. The proposed use is consistent with the Countywide General Plan. In addition, the recommended conditions of approval and mitigation measures will ensure compatibility.

In response to the resident's complaints that the initial study did not adequately address the Equestrian District, the First District Board of Supervisor's Office has requested additional studies be conducted. The County of Los Angeles Department of Public Works has been instructed to conduct additional traffic counts, taking into account the horse traffic at the intersections, if possible. (Pedestrian and/or horses are not normally included in traffic counts.) In addition the previous traffic counts took into account traffic generated from the subject property. At the time the traffic counts were taken there were no approved uses on the unincorporated portion of the property. Public Works was requested to do the traffic counts without counting any vehicle trips generated from the subject property.

The County of Los Angeles Department of Health Services has been directed to conduct another noise study that takes into account the adjacent horse properties.

The applicant has been asked to consider re-instating the 50-foot buffer strip along the east property line, which would entail the elimination of Unit No. 4D, and the modification of Unit No. 4C.

If approved, staff recommends a twenty (20) year term for the requested Conditional Use Permit. This is based on the need to reevaluate the compatibility of the project with the surrounding community. Staff also recommends that the project be inspected annually for compliance with the final conditions of approval.

### **FEES/DEPOSITS**

If approved as recommended by staff, the following will apply:

#### **Fish & Game:**

1. Processing fees of \$1,275.00 related to posting the Notice of Determination with the County Clerk. Fish & Game fees will be required due to the fact that the project will impact natural habitat. The fees will be required prior to the final approval date of the permit.

#### **Zoning Enforcement:**

2. Cost recovery deposit of \$3,000.00 to cover the costs of the twenty (20) recommended annual zoning enforcement inspections. Additional funds would be required if violations are found on the property.

### **STAFF RECOMMENDATION**

#### **Continuance**

Prior to making a decision on this case, Staff recommends the Planning Commission

consider the facts, analysis and correspondence contained in this report along with the oral testimony and/or written comments received during the public hearing.

Staff recommends the Commission also consider the following:

1. If the initial study prepared is inadequate in that it fails to mention the existence of the adjacent Pellissier Village Equestrian District, thereby requiring additional traffic and noise studies.
2. If the applicant should be required to re-instate the 50-foot buffer strip along the east property line, causing the modification of Building No. 4.

If the Commission finds the above is required, then staff recommends **continuance** of Conditional use Permit Case No. 01-198-(1).

**SUGGESTED MOTION**

"I MOVE THE PUBLIC HEARING REMAIN OPEN AND THAT THE REGIONAL PLANNING COMMISSION CONTINUE CONDITIONAL USE PERMIT CASE NO. 01-198-(1) IN ORDER TO GIVE THE COUNTY OF LOS ANGELES TIME TO COMPLETE THE REQUESTED ADDITIONAL STUDIES (AND FOR THE APPLICANT TO REVISE THE SITE PLAN WITH MODIFICATIONS TO BUILDING NO. 4)

**Alternate Recommendation**

**Approval**

If the Commission finds the applicant satisfies the conditional use permit burden of proof requirements for this request, the initial study is adequate as prepared, and it is not necessary for the applicant to revise the development plans for the Commission's further review, than Staff recommends **Approval** of Conditional Use Permit No. 01-198-(1), subject to the attached draft conditions.

**ALTERNATE MOTION**

"I MOVE THE PUBLIC HEARING BE CLOSED AND THAT THE REGIONAL PLANNING COMMISSION INDICATE ITS INTENT TO APPROVE CONDITIONAL USE PERMIT CASE NO. 01-198-(1), AND INSTRUCT STAFF TO PREPARE THE FINAL ENVIRONMENTAL DOCUMENTATION AND FINDINGS AND CONDITIONS FOR APPROVAL."

Report prepared by: Karen Simmons, Senior Regional Planning Assistant  
Reviewed by: Russell J. Fricano, Ph.D., AICP, Zoning Permits Section I

**Attachments:**

Copy of Thomas Brothers Map  
Burden of Proof  
Environmental Documentation  
Draft Conditions

**CONDITIONAL USE PERMIT CASE NO. 01-198-(1)**  
**STAFF ANALYSIS (CONTINUED)**

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Correspondence  
Photographs  
Site Plan, Elevations  
Land Use Map

RJF:KMS  
02-10-03